

1-1 By: Eltife, et al. S.B. No. 1097
1-2 (In the Senate - Filed March 2, 2011; March 16, 2011, read
1-3 first time and referred to Committee on Natural Resources;
1-4 March 31, 2011, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 10, Nays 1; March 31, 2011,
1-6 sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 1097 By: Eltife

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to single certification in incorporated or annexed areas
1-11 served by water or sewer utilities.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Subsection (j), Section 13.255, Water Code, is
1-14 amended to read as follows:

1-15 (j) This section shall apply only in a case where:

1-16 (1) the retail public utility that is authorized to
1-17 serve in the certificated area that is annexed or incorporated by
1-18 the municipality is a nonprofit water supply or sewer service
1-19 corporation, a special utility district under Chapter 65, [~~Water~~
1-20 ~~Code, or~~] a fresh water supply district under Chapter 53, or a water
1-21 and sewer utility other than a cooperative corporation or affected
1-22 county [~~Water Code~~]; or

1-23 (2) the retail public utility that is authorized to
1-24 serve in the certificated area that is annexed or incorporated by
1-25 the municipality is a retail public utility, other than a nonprofit
1-26 water supply or sewer service corporation, and whose service area
1-27 is located entirely within the boundaries of a municipality with a
1-28 population of 1.7 million or more according to the most recent
1-29 federal census.

1-30 SECTION 2. This Act takes effect immediately if it receives
1-31 a vote of two-thirds of all the members elected to each house, as
1-32 provided by Section 39, Article III, Texas Constitution. If this
1-33 Act does not receive the vote necessary for immediate effect, this
1-34 Act takes effect September 1, 2011.

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